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Case No. 138.00US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Kirakossian et al

Serial No: Not Yet Assigned

Filed: 26 January 2004 Filed Herewith

For: BIOMARKER DETECTION IN  
CIRCULATING CELLS

Examiner:: Not Yet Assigned

Art Unit: Not Yet Assigned

Customer No.: 33,603

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the accompanying PTO-1449 form(s) may be material to the examination of the above-identified application and are, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application. Copies of the cited references have been previously submitted in prior application(s) to the above application, with the exception of References P-72 through P82 Reference D46 through D62. Copies of these citation are enclosed.

This Information Disclosure Statement under 37 CFR 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

**SUBMISSION INFORMATION**

This Information Disclosure Statement is being submitted within three (3) months of filing or before mailing of a first Office Action, whichever occurs last. (37 CFR 1.97(b))

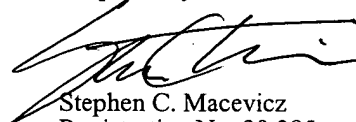
**PAYMENT OF FEES (IF ANY DUE)**

**FEE AUTHORIZATION.** The Commissioner is hereby authorized to withdraw from Deposit Account

**50-2266**

any submission fees or petition fees required for this Information Disclosure Statement.

Respectfully submitted,



Stephen C. Macevicz  
Registration No. 30,285

Enclosures: 1449 form(s)  
Copies of 25 References

Form PTO-1449 (adapted)  <b>REFERENCES CITED BY APPLICANT</b>	Docket No. <b>138.00US</b>	Serial No. <b>Not Yet Assigned</b>
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## U.S. PATENT DOCUMENTS

Examiner's Initial		Document Number	Inventor(s)	Issue Date (publication date) (mm dd yyyy)	Class/Subclass	Filing Date (mm dd yyyy)
	<b>P1</b>	2002/0037542	ALLBRITTON	(03/28/2002)	435/7.23	05/17/2001
	<b>P2</b>	2002/0128465	LYAMICHEV	(09/12/2002)	536/24.3	02/06/2001
	<b>P3</b>	4,274,240	SOUM	06/23/1981	52/583	05/03/1979
	<b>P4</b>	4,331,590	BOCUSLASKI	05/25/1982	260/112 B	05/06/1980
	<b>P5</b>	4,650,750	GIESE	03/17/1987	435/7	03/19/1984
	<b>P6</b>	4,675,300	ZARE	06/23/1987	436/172	09/18/1985
	<b>P7</b>	4,709,016	GIESE	11/24/1987	530/389	02/01/1982
	<b>P8</b>	4,780,421	KAMEDA	10/25/1988	436/518	04/03/1986
	<b>P9</b>	5,057,412	RABIN	10/15/1991	435/6	03/15/1988
	<b>P10</b>	5,254,469	WARREN, III	10/19/1993	435/188	09/17/1991
	<b>P11</b>	5,324,401	YEUNG	06/28/1994	204/180.1	02/05/1993
	<b>P12</b>	5,340,716	ULLMAN	08/23/1994	435/6	06/20/1991
	<b>P13</b>	5,360,819	GIESE	11/01/1994	514/538	03/11/1985
	<b>P14</b>	5,470,705	GROSSMAN	11/28/1995	435/6	04/07/1992
	<b>P15</b>	5,494,793	SCHINDELE	02/27/1996	435/6	06/14/1989
	<b>P16</b>	5,514,543	GROSSMAN	05/07/1996	435/6	08/04/1993
	<b>P17</b>	5,516,636	MCCAPRA	05/14/1996	435/6	12/01/1992
	<b>P18</b>	5,516,931	GIESE	05/14/1996	560/59	04/22/1993

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	<b>P19</b>	5,536,834	SINGH	07/16/1996	544/98	06/06/1995
	<b>P20</b>	5,560,811	BRIGGS	10/01/1996	204/451	03/21/1995
	<b>P21</b>	5,565,324	STILL	10/15/1996	435/6	04/13/1994
	<b>P22</b>	5,567,292	MADABHUSHI	10/22/1996	204/451	12/06/1994
	<b>P23</b>	5,573,906	BANNWARTH	11/12/1996	435/6	03/22/1993
	<b>P24</b>	5,578,498	SINGH	11/26/1996	436/518	11/22/1993
	<b>P25</b>	5,580,732	GROSSMAN	12/03/1996	435/6	08/26/1994
	<b>P26</b>	5,602,273	GIESE	02/11/1997	560/60	02/08/1996
	<b>P27</b>	5,604,104	GIESE	02/18/1997	435/7.1	02/08/1996
	<b>P28</b>	5,610,020	GIESE	03/11/1997	435/7.1	02/08/1996
	<b>P29</b>	5,616,719	DAVALIAN	04/01/1997	546/334	05/09/1995
	<b>P30</b>	5,624,800	GROSSMAN	04/29/1997	435/6	05/19/1995
	<b>P31</b>	5,650,270	GIESE	07/22/1997	435/6	03/20/1990
	<b>P32</b>	5,691,151	BRAUN	11/25/1997	435/7.2	10/07/1994
	<b>P33</b>	5,703,222	GROSSMAN	12/30/1997	536/24.3	11/21/1995
	<b>P34</b>	5,705,622	McCAPRA	01/06/1998	536/23.1	03/28/1996
	<b>P35</b>	5,709,994	PEASE	01/20/1998	435/4	06/06/1995
	<b>P36</b>	5,719,028	DAHLBERG	02/17/1998	435/6	02/06/1997
	<b>P37</b>	5,721,099	STILL	02/24/1998	435/6	06/07/1995

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	<b>P38</b>	5,723,591	LIVAK	03/03/1998	536/22.1	11/15/1995
	<b>P39</b>	5,756,726	HEMMI	05/26/1998	540/474	06/06/1995
	<b>P40</b>	5,763,602	LI	06/09/1998	540/128	10/01/1996
	<b>P41</b>	5,766,481	ZAMBIAS	06/16/1998	210/656	02/18/1997
	<b>P42</b>	5,777,096	GROSSMAN	07/07/1998	536/24.3	05/06/1996
	<b>P43</b>	5,789,172	STILL	08/04/1998	435/6	07/11/1996
	<b>P44</b>	5,807,675	DAVALIAN	09/15/1998	435/6	06/07/1995
	<b>P45</b>	5,807,682	GROSSMAN	09/15/1988	435/6	06/17/1997
	<b>P46</b>	5,811,239	FRAYNE	09/22/1998	435/6	05/13/1996
	<b>P47</b>	5,843,655	McGALL	12/01/1998	435/6	09/18/1995
	<b>P48</b>	5,843,666	AKHAVAN-TAFTI	12/01/1998	435/6	11/15/1996
	<b>P49</b>	5,846,839	GALLOP	12/08/1998	436/518	12/22/1995
	<b>P50</b>	5,849,878	CANTOR	12/15/1998	530/391.9	06/07/1995
	<b>P51</b>	5,851,770	BABON	12/22/1998	435/6	10/19/1995
	<b>P52</b>	5,874,213	CUMMINS	02/23/1999	435/6	06/06/1995
	<b>P53</b>	5,876,930	LIVAK	03/02/1999	435/6	11/15/1995
	<b>P54</b>	5,916,426	MADABHUSHI	06/29/1999	204/451	08/19/1997
	<b>P55</b>	5,952,654	GIESE	09/14/1999	250/288	10/29/1997
	<b>P56</b>	5,958,202	REGNIER	09/28/1999	204/451	01/22/1997

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	<b>P57</b>	5,986,076	ROTHSCHILD	11/16/1999	536/22.1	11/22/1994
	<b>P58</b>	5,989,871	GROSSMAN	11/23/1999	435/91.1	02/14/1997
	<b>P59</b>	5,998,140	DERVAN	12/07/1999	435/6	05/08/1997
	<b>P60</b>	6,001,567	BROW	12/14/1999	435/6	07/12/1996
	<b>P61</b>	6,001,579	STILL	12/14/1999	435/7.1	06/07/1995
	<b>P62</b>	6,027,890	NESS	02/22/2000	435/6	07/22/1997
	<b>P63</b>	6,045,676	MATHIES	04/04/2000	204/603	08/22/1997
	<b>P64</b>	6,090,947	DERVAN	07/18/2000	548/312.4	02/26/1996
	<b>P65</b>	6,251,581	ULLMAN	06/26/2001	435/4	05/22/1991
	<b>P66</b>	6,312,893	VAN NESS	11/06/2001	435/6	07/22/1997
	<b>P67</b>	6,322,980	SINGH	11/27/2001	435/6	04/30/1999
	<b>P68</b>	6,331,530	BRESLOW	12/18/2001	514/58	07/13/1999
	<b>P69</b>	6,335,201	ALLBRITTON	01/01/2002	436/63	07/21/1999
	<b>P70</b>	6,346,384	POLLNER	02/12/02	435/6	03/27/00
	<b>P70</b>	6,346,529	FLOYD	02/12/2002	514/226.2	04/15/1998
	<b>P71</b>	6,368,874	GALLOP	04/09/2002	436/518	11/17/1999
	<b>P72</b>	5,445,970	ROHR	08/29/95	436/526	12/01/94
	<b>P73</b>	6,048,515	KRESS ET AL	04/11/00	424/9.322	07/10/95
	<b>P74</b>	5,998,224	ROHR ET AL	12/07/99	435/526	05/16/97

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	P75	5,646,001	TERSTAPPEN ET AL.	07/08/97	435/7.21	02/28/95
	P76	5,262,176	PALMACCI ET AL	11/16/93	424/9	05/02/91
	P77	5,691,208	MILTENYI ET AL	11/25/97	436/526	07/07/95
	P78	4,452,773	MOLDAY	06/05/84	436/529	04/05/82
	P79	6,365,362	TERSTAPPEN	04/04/04	435/7.23	02/12/99
	P80	4,375,407	KRONICK	03/01/83	209/223	06/22/81
	P81	5,508,164	KAUSCH ET AL	04/16/96	435/6	11/29/93
	P82	5,665,582	KAUSCH ET AL	09/09/97	434/181	04/18/94

**FOREIGN PATENT DOCUMENTS**

Examiner's Initial		Country	Document Number	Applicant	Date (mm-dd-yyyy)
	F1	EP	0 484 027 A1	IMPERIAL CHEMICAL INDUSTRIES PLC	05/06/1992
	F2	WO	93/06121	AFFYMAX TECHNOLOGIES N.V.	04/01/1993
	F3	WO	96/24061	ONTOGEN CORPORATION	08/08/1996
	F4	WO	97/27325	DARWIN MOLECULAR CORPORATION	07/31/1997
	F5	WO	97/27327	DARWIN MOLECULAR CORPORATION	07/31/1997
	F6	WO	97/28275	IGEN INTERNATIONAL INC.	08/07/1997
	F7	WO	98/01533	BURSTEIN LABORATORIES, INC.	01/15/1998
	F8	WO	98/15830	WALLAC OY	04/16/1998
	F9	WO	99/05319	RAPIGENE, INC.	02/04/1999

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	<b>F10</b>	WO	99/13108	UNIVERSITY OF MARYLAND, BALTIMORE	03/18/1999
	<b>F11</b>	WO	99/42838	DADE BEHRING INC.	08/26/1999
	<b>F12</b>	WO	99/64519	AMERSHAM PHARMACIA BIOTECH UK LIMITED	12/16/1999
	<b>F13</b>	WO	00/56925	ACLARA BIOSCIENCES, INC.	09/28/2000
	<b>F14</b>	WO	00/66607	ACLARA BIOSCIENCES, INC.	11/09/2000

**OTHER REFERENCES**

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	<b>D1</b>	Adam et al., "Photooxygenation (Singlet Oxygen) of Tetrathioethylenes", Journal of the American Chemical Society, Vol. 94:4, 1972, pgs. 1206-1208.
	<b>D2</b>	Adam et al., "Photooxygenation of Vinyl Sulfides: Substituent Effects on the [2+2] Cycloaddition versus Schenck Ene Reaction Modes", Tetrahedron Letters, Vol. 36, No. 43, Pergamon Press 1995, pgs. 7853-7854.
	<b>D3</b>	Ando et al., "Photosensitized Oxygenation of Vinylic Sulphides", J.C.S. Chem. Comm., 1972, pgs. 477-478.
	<b>D4</b>	Ando et al., "Singlet Oxygen Reaction - II Alkylthiosubstituted Ethylene", Tetrahedron, Vol. 29, Pergamon Press 1973, pgs 1507-1513.
	<b>D5</b>	Ando et al., "Singlet Oxygen Reaction. III. Solvent and Temperature Effects on the Photosensitized Oxygenation of Vinyl Sulfides and Vinyl Ethers", Journal of the American Chemical Society, Vol. 96:21, 1974, pgs. 6766-6768.
	<b>D6</b>	Ando et al., "Singlet Oxygen Reaction. IV. Photooxygenation of Enamines Involving a Two-Step Cleavage of a 1, 2-Dioxetane Intermediate", Journal of American Chemical Society, Vol. 97:17, 1975, pgs 5028-5029.
	<b>D7</b>	Ando et al., "Singlet Oxygen Reaction V. Ring Size Effects on the Decomposition of Sulfur Substituted 1, 2-Dioxetane", Tetrahedron Letters, No. 47, Pergamon Press 1975, pgs 4127-4130.
	<b>D8</b>	Brenner et al., "Encoded Combinatorial Chemistry", Proc. Natl. Acad. Sci. USA, Vol. 89, 1992, pgs. 5381-5383.
	<b>D9</b>	Fitch et al., "Improved Methods for Encoding and Decoding Dialkylamine-Encoded Combinatorial Libraries", J. Comb. Chem., 1, 1999, pgs. 188-194.
	<b>D10</b>	Giese, "Electrophoric Release Tags: Ultrasensitive Molecular Labels Providing Multiplicity", Trends in Analytical Chemistry, Vol. 2, No. 7, 1983, pgs. 166-168.

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	<b>D12</b>	Hacia et al., "Detection of Heterozygous Mutations in BRCA1 Using High Density Oligonucleotide Arrays and Two-Colour Fluorescence Analysis", Nature Genetics, Vol. 14, 1996, pgs. 441-447.
	<b>D13</b>	Haff et al., "Multiplex Genotyping of PCR Products with MassTag-Labeled Primers", Nucleic Acids Research, Vol. 25, No. 18, 1997, pgs. 3749-3750.
	<b>D14</b>	Holland et al., "Detection of Specific Polymerase Chain Reaction Product by Utilizing the 5' → 3' Exonuclease Activity of <i>Thermus Aquaticus</i> DNA Polymerase", Proc. Natl. Acad. Sci. USA, Vol. 88, 1991, pgs. 7276-7280.
	<b>D15</b>	Houghten et al., "Human β -Endorphin: Synthesis and Characterization of Analogs Iodinated and Tritiated at Tyrosine Residues 1 and 27", Int. J. Peptide Protein Res., Vol. 16, 1980, pgs. 311-320.
	<b>D16</b>	Kochevar et al., "Photosensitized Production of Singlet Oxygen", Methods in Enzymology, Vol. 319, 2000, pgs. 20-29.
	<b>D17</b>	Lee et al., "Allelic Discrimination by Nick-Translation PCR with Fluorogenic Probes", Nucleic Acids Research, Vol. 21, No. 16, 1993, pgs. 3761-3766.
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	<b>D19</b>	Lu et al., "Polymerizable Fab' Antibody Fragments for Targeting of Anticancer Drugs", Nature Biotechnology, Vol. 17, 1999, pgs. 1101-1104.
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	<b>D21</b>	Marglin et al., "Chemical Synthesis of Peptides and Proteins", Art. 739, 1970, pgs. 841-866.
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	<b>D24</b>	Merrifield, "Solid Phase Peptide Synthesis. I. The Synthesis of a Tetrapeptide", Synthesis of a Tetrapeptide, Vol. 85, 1963, pgs. 2149-2154.
	<b>D25</b>	Ni et al., "Versatile Approach to Encoding Combinatorial Organic Synthesis Using Chemically Robust Secondary Amine Tags", J. Med. Chem., Vol. 39, 1996, pgs. 1601-1608.
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	<b>D27</b>	Oseroff et al., "Antibody-Targeted Photolysis: Selective photodestruction of Human T-Cell Leukemia Cells Using Monoclonal Antibody-Chlorin e <sub>6</sub> Conjugates", Proc. Natl. Acad. Sci. USA, Vol. 83, 1986, pgs. 8744-8748.

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	D29	Posewitz et al., "Immobilized Gallium(III) Affinity Chromatography of Phosphopeptides", Anal. Chem., Vol. 71, 1999, pgs. 2883-2892.
	D30	Rakestraw et al., "Antibody-Targeted photolysis: <i>In vitro</i> Studies with Sn(IV) Chlorin e6 Covalently Bound to Monoclonal Antibodies Using a Modified Dextran Carrier", Proc. Natl. Acad. Sci. USA, Vol. 87, 1990, pgs. 4217-4221.
	D31	Da Ros et al., "DNA-Photocleavage Agents", Current Pharmaceutical Design, Vol. 7, 2001, pgs. 1781-1821.
	D32	Ross et al., "Discrimination of Single-Nucleotide Polymorphisms in Human DNA Using Peptide Nucleic Acid Probes Detected by MALDI-TOF Mass Spectrometry", Anal. Chem., Vol. 69, 1997, pgs. 4197-4202.
	D33	Sharman et al., "Role of Activated Oxygen Species in Photodynamic Therapy", Methods in Enzymology, Vol. 319, 2000, pgs. 376-400.
	D34	Still, "Discovery of Sequence-Selective Peptide Binding by Synthetic Receptors Using Encoded Combinatorial Libraries", Acc. Chem. Res., Vol. 29, 1996, pgs. 155-163.
	D35	Strong, "Antibody-Targeted Photolysis", Annals New York Academy of Sciences, Vol. 745, 1994, pgs. 297-320.
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*EXAMINER: Initial if reference considered, whether or not citation in conformance with MPEP 609; Draw line through citation if not in conformance and/or not considered. Include copy of this form with next communication to applicant.	

<b>Form PTO-1449 (adapted)</b>  <b>REFERENCES CITED BY APPLICANT</b>	Docket No. <b>138.00US</b>	Serial No. <b>Not Yet Assigned</b>
	First Named Inventor <b>Hrair KIRAKOSSIAN</b>	Customer No. <b>33,603</b>
	Filing Date <b>26 January 2004 Filed Herwith</b>	Group <b>Not Yet Assigned</b>

Examiner's Initial		Citation
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